



COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

TWO SOUTH STATION
BOSTON, MA 02110
(617) 305-3580
www.mass.gov/dtc

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

DANIEL O'CONNELL
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

DANIEL C. CRANE
DIRECTOR OF CONSUMER AFFAIRS
AND BUSINESS REGULATION

SHARON E. GILLETT
COMMISSIONER

December 24, 2008

Stacey L. Parker
Senior Director, Regulatory Affairs
Comcast Cable Communications, Inc.
12 Tozer Road
Beverly, MA 01915

Dear Ms. Parker:

In a letter dated November 14, 2008, the Department of Telecommunications and Cable ("Department") notified Comcast IP Phone, LLC ("Comcast or Comcast IP Phone") that the Department determined that Comcast's Digital Voice service is subject to the Department's jurisdiction under Massachusetts General Laws, Chapter 159 as a telecommunication common carrier service, and directed Comcast IP Phone to file a tariff and registration statement for its Digital Voice service within 30 days of the letter (by December 14, 2008). Comcast IP Phone has yet to comply with that directive.

As you know, on December 5, 2008, Commissioner Gillett and Department senior staff met with you and Mark Reilly, at your request, to discuss the Department's position on this issue and for Comcast to provide its views to the Department. At the conclusion of that meeting, you and Mark Reilly noted that Comcast believed there was the possibility that the Federal Communications Commission ("FCC") would issue an order in its pending investigation of intercarrier compensation and universal service reform¹ by January 5, 2009, that would find that fixed VoIP (the type of interconnected VoIP that Comcast IP Phone provides through its Digital Voice service) is subject to exclusive federal authority. Therefore, you requested that the Department extend the December 14, 2008 tariffing and registration deadline until that date. As a courtesy to Comcast, the Department grants the request that the

¹ See *In the Matter of High-Cost Universal Service Support*, WC Docket No. 05-337, *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, *Lifeline and Link Up*, WC Docket No. 03-109, *Universal Service Contribution Methodology*, WC Docket No. 06-122, *Numbering Resource Optimization*, CC Docket No. 99-200, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92, *Intercarrier Compensation for ISP-Bound Traffic*, CC Docket No. 99-68, and *IP-Enabled Services*, WC Docket No. 04-36, Order on Remand, and Report and Order, and Further Notice of Proposed Rulemaking (rel. Nov. 5, 2008).

tariffing and registration deadline for Comcast IP Phone's Digital Voice service be extended until January 6, 2009.

The granting of this extension in no way relates to or is influenced by the December 10, 2008 letter from Comcast's Chief Telephony Counsel, Brian Rankin, to Commission Gillett. The Department will respond to that letter at a later date. Please do not hesitate to contact me if you have any questions.

Sincerely,

/s/
Michael A. Isenberg,
Director, Competition Division

cc: Sharon E. Gillett, Commissioner
Geoffrey Why, General Counsel
Karen Robinson, Director, Consumer Division
Mark Reilly (Comcast)
Stacey L. Parker (Comcast)